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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,868	01/05/2004	Rolf Stefani	117154	3245

25944 7590 08/25/2005

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EXAMINER

NGUYEN, CUONG H

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/750,868	STEFANI ET AL.	
	Examiner	Art Unit	
	CUONG H. NGUYEN	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the amendment received on 3/24/2005.
2. Claims 1-19 are pending in this application.

Drawings

3. This application is submitted with 5 sheets of informal drawings (Figs. 1-5). Currently, they are acceptable for examining purposes.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sudolsky (US Pat. 6,115,656).**

A. Re. To claims 1-6, 8, 10-12, 14, 16-17, and 19: Sudolsky suggests a system and a method for monitoring, reporting and diagnosing fault information of a vehicle on a real time basis both within the aircraft and outside of the aircraft, comprising:

- a. a quick access recorder that records the fault information (i.e. an optical quick access recorder (OQAR), see Sudolsky, Fig.1 ref.18);
- b. a portable component that is removable from the vehicle and diagnoses the fault information (i.e. an optical disk, see Sudolsky, Fig.1 ref.20);

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- c. an onboard data communication network that communicates information between the quick access recorder and the portable hardware (i.e. line replaceable units (LRUs) to communicate with communication bus, e.g., see Sudolsky, Fig.1 LRU blocks, and ref.15); and
- d. a data transmitting device (see Sudolsky, APDMC 14 of Fig.1) for transmitting the fault information and diagnosis in real-time between the vehicle location and a receiver in another location (i.e. OQAR, see Sudolsky, Fig.1 ref.30).
- e. display components (see Sudolsky, Fig. Refs. 24, 26, 28, and 30).

B. Re. to dependent “system” claim 2: Sudolsky also teaches a quick access recorder comprises recording line replacement units (i.e. line replaceable units (LRU), see Sudolsky, the abstract, and ref. 18 of Fig.1’s structure comprising an optical quick access recorder (OQAR)).

C. Re. to dependent “system” claim 3: Sudolsky also teaches a system wherein the line replacement units are removable for further diagnostic (i.e. line replaceable units (LRU), see Sudolsky, the abstract, Fig.1 LRU blocks, and Fig.3A ref.138).

D. Re. To claims 4, and 16: Sudolsky also teaches a system comprising portable component for monitoring, diagnosing (see Sudolsky, Fig. 2 ref. 40), and reporting faults (see Sudolsky, Fig. 3A, refs. 134, 140, and 141) note that a rationale for rejection of this limitation is already provided in above claim, see sections 1.b. & 1.d.).

C. Re. To claims 5, and 17: Sudolsky also teaches a system to perform real-time monitoring and analysis of data received from the quick access recorder (see Sudolsky, Figs. 1-2, and 4 - note that a rationale for rejection of this limitation is already provided in above claim 1.c. & 1.d.).

D. Re. To claims 6, and 14: Sudolsky also suggests a system, comprising applications utilizes the on board data communications network to transmit notification of corrective messages to a crew (e.g., online communication reports, see Sudolsky, Fig.1 ref. 30 - note that a rationale for rejection of this limitation is already provided in above claim 1.d.).

E. Re. To claims 7, 9, 13, 15, and 18: Sudolsky suggests a system utilizing a remote air-ground data receiving/transmitting device/computer (see Sudolsky's "Radio Receiver-Transmitter" antenna, and Fig.1 refs. 26, 28, 30 – note that a step of "notifying maintenance personnel" of claim 15 is performed via ONLINE REPORTS communication; and a communication via an air-ground antenna is old and well-known).

F. Re. To claim 8: Sudolsky suggests a system wherein the onboard data communication network is a data bus (i.e., ARINC 573 bus 15) that enables exchange of information (see Sudolsky, the summary, and Fig.1).

Sudolsky does not disclose about "Electronic Flight Bag" that host a suite of applications for monitoring, reporting, and diagnosing the fault information.

However, Sudolsky suggests claimed components that can perform those equivalent functions of monitoring, reporting, and diagnosing the fault information.

It would have been obvious to one of ordinary skill in the art at the time of invention to implement Sudolsky's suggestions with an Electronic Flight Bag that host a suite of applications for monitoring, reporting, and diagnosing fault information to provide a organized package that can handle wide ranging and diverse functions of a typical military aircraft which the LRUs are responsible for most controls, and insuring proper operations.

Response

5. Applicant's amended claims are not overcome above new ground of rejections.

Conclusion

6. Claims 1-19 are not patentable. The submitted amendment necessitates a new ground of rejection(s) set forth; accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6759.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in an effort to help advance prosecution; otherwise any new claim language that is introduced in an amended or new claim may be considered as new matter, especially if the Application is a Jumbo Application.



CUONG H. NGUYEN
Primary Examiner
Art Unit 3661